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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,748	10/30/2003	Bruce B. Doris	FIS920030264 (00750483AA)	6189
30743 7590 05/11/2009 WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			EXAMINER CAO, PHAT X	
			ART UNIT 2814	PAPER NUMBER
			MAIL DATE 05/11/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* BRUCE B. DORIS,  
HAINING YANG  
AND HUILONG ZHU

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Application No. 10/695,748  
Technology Center 2814

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Mailed: May 11, 2009

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Before DELORES LOWE, Review Team Paralegal  
LOWE, Review Team Paralegal.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on June 17, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

On October 17, 2006, Appellants filed an Amendment after final. The advisory Action entered November 6, 2006 indicated that this amendment will be entered for purpose of Appeal. However, the examiner wrote the statement "Do Not Enter" on the amendment itself. Clarification of the entry status of the amendment is required. The Examiner shall notify the appellant, in writing, of whether or not the amendment filed October 17, 2006 is or is not entered.

### CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) clarification of whether there is or is not to be entry of the amendment filed October 17, 2006, and for notification to appellants in writing of the action taken; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/DAL/

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